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BEFORE THE ARIZONA CORPORATION COMMISSION  
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2008 APR 22 A 10: 23

AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF  
TUCSON ELECTRIC POWER COMPANY FOR  
THE ESTABLISHMENT OF JUST AND  
REASONABLE RATES AND CHARGES  
DESIGNED TO REALIZE A REASONABLE  
RATE OF RETURN ON THE FAIR VALUE OF  
ITS OPERATIONS THROUGHOUT THE STATE  
OF ARIZONA.

DOCKET NO. E-01933A-07-0402

IN THE MATTER OF THE FILING BY TUCSON  
ELECTRIC POWER COMPANY TO AMEND  
DECISION NO. 62103.

DOCKET NO. E-01933A-05-0650

PROCEDURAL ORDER

**BY THE COMMISSION:**

By Procedural Order dated October 5, 2007, the Arizona Corporation Commission ("Commission") set the above-captioned matter for hearing to commence on May 12, 2008, and provided a schedule for filing pre-filed testimony.

By Procedural Order dated February 21, 2008, the Commission modified the procedural schedule as follows:

|  |                   |
|--|-------------------|
| Staff/Intervenor Direct Testimony      | February 29, 2008 |
| Staff/Intervener Rate Design Testimony | March 14, 2008    |
| TEP Rebuttal Testimony                 | April 1, 2008     |
| Staff/Intervenor Surrebuttal Testimony | April 24, 2008    |
| TEP Rejoinder Testimony                | May 7, 2008       |

Arizona Corporation Commission  
**DOCKETED**  
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The hearing date was not modified.

On April 18, 2008, the Commission's Utilities Division ("Staff") filed a Request for Procedural Order. Staff reports that the parties have been engaged in settlement discussions which

are indicating sufficient progress that Staff requests that the April 24, 2008 Surrebuttal filing date be vacated. Staff states that it will request a substitute procedural order in the near future.

Staff's request is reasonable to allow the parties the ability to continue potentially fruitful settlement discussions. Given the close proximity of the hearing date and the need for parties to make plans, Staff should file its request a new procedural schedule or request for Procedural Conference to discuss the status of negotiations and the schedule no later than April 28, 2008.

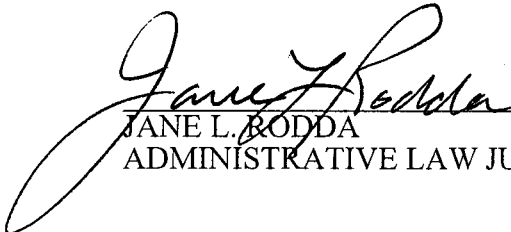
IT IS THEREFORE ORDERED that the **Surrebuttal and Rejoinder Testimony** filings are **vacated** pending further Order.

IT IS FURTHER ORDERED that Staff shall file a **request for a revised procedural schedule** or request for Procedural Conference no later than **April 28, 2008**.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized Communications) continues to apply to this proceeding and shall remain in effect until the Commission's Decision in this matter is final and non-appealable.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 21<sup>st</sup> day of April, 2008.

  
JANE L. RODDA  
ADMINISTRATIVE LAW JUDGE

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this 21<sup>st</sup> day of April, 2008 to:

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